

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

UNITED STATES OF AMERICA,

v.

Case No. 8:18-cr-205-T-02TGW

ALFONZO CHURCHWELL.

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**ORDER**

This matter comes to the Court on Defendant Alfonzo Churchwell's Motion to Suppress Statements. Dkt. 179. The United States of America responded in opposition. Dkt. 183. The Court held an evidentiary hearing and heard argument on June 19, 2019. Dkt. 222. The Court DENIES Defendant's motion in part on the merits and in part due to mootness.

On April 26, 2018, Defendant was indicted in this multi-defendant, multi-count racketeering case. Dkt. 1. Defendant is charged in Counts One, Two, Six, Seven, and Twelve. *Id.* A superseding indictment is expected.

In early 2018, Defendant was in custody pending sentencing in a related criminal case, *United States v. Churchwell*, 8:17-cr-482-T-30TBM (M.D. Fla. Dec. 19, 2017) (the "drug case"). Defendant was housed in Pinellas County Jail when, on February 1, 2018, a fellow inmate named Gary Moorman approached him.

Moorman, who was the sole testifying witness at the evidentiary hearing, had shared a cell at Citrus County Jail with Jordan Rodriguez, another individual charged in this case. According to Moorman, Defendant made various, incriminating statements for Moorman to relay to Rodriguez. On February 2, 2018, Moorman proffered these and other statements to law enforcement. Moorman testified that he had not spoken to federal agents before February 2018. The Court took Moorman's testimony at the evidentiary hearing on this matter. This encounter was spontaneous and not elicited. The statements of February 1, 2018 are not subject to suppression.

As to additional statements made on March 21, 2018, the recording made is inaudible and the Government has agreed to omit use of the statements. The Government has noted that it did not debrief the informant Mr. Moorman on the March 21, 2018 statements. Accordingly, the motion to suppress these statements is denied as moot.

**DONE AND ORDERED** at Tampa, Florida, on July 15, 2019.

/s/ William F. Jung  
**WILLIAM F. JUNG**  
**UNITED STATES DISTRICT JUDGE**

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Counsel of Record